

Council Meeting 11/04/2024

Minutes taken by Emily Bessette, City Clerk

Meeting Time: 7:00 PM

Presiding Officer: Mayor DaPrato

Council Present: Kevin Seals, Ronald Moeller, Chad Moore, Kaitlyn Ball, Cheryl Lister

Council Absent: N/A

Attorney Barnes: Present

Employees: Shannon Seals, Emily Bessette, Dustin Bretsnyder

Visitors: Per Registry

Call to Order

The meeting was called to order at 7:00pm by Mayor DaPrato

Approval of the minutes

Motion by K. Seals to approve the minutes for 10/7/2024 with no corrections, 2nd by Moore, motion carried.

Sylvester Lira

Pat Lira was present to dispute Sylvester Lira's bill. She does not agree that billing is done by account and not by premise. Each account holder receives a minimum utility bill regardless of water usage and whether trash service was utilized. Mr. Lira's bill and the new owners bill are correct per ordinance.

Loren Lett

Loren has not used trash service since 1992 with an exception of sitting an item out on the city wide clean up day. He transports his waste to a property he leases to a family member in Wabaunsee County. He provided the number on his niece's trashcan. Kansas State Department of Health and Environment states "No person shall haul or cause to be hauling any garbage, refuse or other waste material of any kind to any place, site or area within or without the limits of the city unless such site is a sanitary landfill, transfer point or disposal facility approved by the Kansas State Department of Health and Environment." There was a question on what transfer point was and it was explained. It would take a change of ordinance that may not even be possible due to state laws. Loren did not agree and left unhappy stating he would pay the \$77. Clerk confirmed that was roughly the amount of his bill including his trash service.

Osage County Hearld

Veterans Day ad supporting local veterans \$36.80. Motion by Lister to run Veteran's Day ad in Osage County Hearld for \$36.80, 2nd by Seals, motion carried.

Carl's Tire and Lube Shope, LLC

Carl's Tire and Lube Shop, LLC is asking for donations for their 10th annual Children's Christmas Event with Santa, craft project and the Story of Jesus' birth with cookies and hot chocolate. Motion by K. Seals to donate \$50.00 for 10th annual Children's Christmas Event, 2nd by Lister, motion carried.

ATV and Dog Tags

Dog tags have been ordered for 2025. Motion by Lister to purchase 60 2025 ATV tags in the amount of \$250.95, 2nd by Ball, motion carried.

Maintenance

Bretsnyder explained finances on the street project. Street project ended up being \$57,657.66 over budget. Money will come from street reserve account. The streets look nice and everyone was pleased with the work from Killough Construction. Moore stated that in the future if bids are close to the budgeted amount, then streets should be removed from the project as done in the past.

Motion by K. Seals to pay the overage bill of \$14,022 to Killough Construction out of Street Reserve account, 2nd by Moore, motion carried.

Motion by Ball to pay Bettis Asphalt \$10,252.42 out of Street Reserve account, 2nd by Moore, motion carried.

Motion by K. Seals to pay United Rental \$4,232 from Street Reserve account, 2nd by Moore, motion carried. Alcove had paid the city \$5,000 to help with street repairs from heavy trucks.

Garage door on the shop needs repaired. They have a "patch" on it. Motion by Ball to repair overhead door on the maintenance building for \$1,594.90, 2nd by Seals, motion carried.

Marry-go-round at the park is out of commission until bearing is located. If it is not too wet out marry-go-round will be removed from the park until repaired. If it is too wet to pull it, snow fencing will be placed around it.

Bretsnyder's truck needed both batteries replaced.

Discussion on trees in alley behind Casey's.

Discussion on extending the dock out another 12 feet at East Lake. A lot of work has been done around the dock.

Zoning

No new zoning.

Police

Discussion on police traveling outside of city limits. They do travel for training, supplies, courthouse, KBI and meetings. Moore stated if employees are going to training, taking a city vehicle and being paid then it should be approved through council. Barnes suggested completing a travel sheet and getting a consensus from council. There is no requirement by law to have a motion and 2nd to attend a training. Ideally council should be notified. Things do come up suddenly in between meetings. Chief Seals explained she is working hard to make connections and get the knowledge that is best for our City. She

has no problem with coming to the council. Discussion on an employee attending an elective training and neglecting duties in the office. Employees should bring elective training to the council when they are out of town.

Mariah is out on her own and doing great.

Zayne is working on the process of completing a psychological evaluation.

Dangerous structures process was discussed.

Trunk or Treat went well, and Gilbert did well as well. He is still in training.

Chief Seals would like to get back to doing monthly reports to the council and will begin that in December. The report will include the number of calls they responded to.

The Tahoe break light was repaired by maintenance.

November 13th new dashcams will be installed.

Code enforcement is going to be working on making sure homes have visible house numbers for emergency services as well as monitoring the trashcan ordinance.

Discussion on a herd of cats. The city does not do anything with cats.

Follow Up, Notes and FYI

ADT is still working with a locksmith to get a date scheduled. If no install date is scheduled before next meeting ADT will attend meeting.

Question on drinking water violation. Lead surveys are still trickling in. JEO will help go door to door to get citizens surveys completed if it comes down to that. It is very important that all lead surveys are returned to City Hall. The survey is required nationwide.

Mayor and Lister will be absent from the next meeting.

Community Member

Kerwin and Bev Nichols were present and asked about ordinance on homeless people and how it is allowed for them to live on our sidewalks. They stated that Osage County Lake has seven homeless families at it currently. They are requesting an ordinance so that homeless people cannot stay on our sidewalks. Barnes spoke to this. There was discussion on how they should not interfere with traffic of sidewalks. The only way to get them off the sidewalks is if they are a danger to themselves or others. Though it is unnerving it is very difficult to deal with. Barnes was unaware of Topeka having a process of vagrant people being picked up and relocated. Nichols isn't asking for him to be picked up and removed. Most community members' concerns is that he was blocking a handicap assessable sidewalk on Main street. He was also littering, and the trash was piling up in the ditch. Barnes stated he could be cited or picked up for littering, but then what would happen to them. They could issue them a fine, but they are vagrant so how will they pay the fine. If you take them to jail, they get released. After lengthy conversation it was stated, it is a difficult situation. The Nichols are concerned with the future. Mr. Nichols is more concerned that it is a mental health issue and that the City allowed him to stay on a public sidewalk. Barnes stated that a determination has to be made that he is a person who is a danger

to himself or others. S. Seals had two different groups come in and evaluate him. Mrs. Nichols again was concerned with his mental health and what if he flipped to a different mental state. Barnes stated that we had a good eye on him. The topic begs a remedy at the state level for homeless and mental health. Barnes will continue to work with Chief Seals and encourage the council to take action. He will also reach out to Topeka and view their ordinance online. Mayor was in agreeance that they should not be sleeping on sidewalks on Main Street and throwing garbage on the ground.

Notes and FYI

No discussion

Motion for looking at bills

Motion by K. Seals that council looked at the bills, 2nd by Moore, motion carried.

Motion to Adjourn

Motion to adjourn at 8:23pm by K. Seals, 2nd by Ball, motion carried.